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18 LUIS MIRAMONTES, MANUEL MONTES,
19 and SAMUEL ALVAREZ HARO

20 UNITED STATES DISTRICT COURT

21 SOUTHERN DISTRICT OF CALIFORNIA, WESTERN DIVISION

22 ERICK GALLO, *et al.*,

23 Plaintiffs,

24 vs.

25 MASCO CORPORATION, *et al.*,

26 Defendants.

CASE NO. 08-CV-0604 CAB

**PLAINTIFFS' NOTICE OF MOTION AND
MOTION FOR AWARD OF ATTORNEYS'
FEES AND COSTS PURSUANT TO
SETTLEMENT AGREEMENT**

Date: January 31, 2011
Time: 10:00 a.m.
Courtroom: Courtroom E
Judge: Hon. Cathy A. Bencivengo

Case No. 08-CV-0604 CAB

1 TO DEFENDANTS AND THEIR COUNSEL OF RECORD: PLEASE TAKE NOTICE
2 that on January 31, 2011, at 10:00 a.m., or as soon thereafter as the matter may be heard in
3 Courtroom E of the United States District Court for the Southern District of California, located at
4 940 Front Street, San Diego, CA 92101, Plaintiffs in this case (the “*Gallo Case*”) and Plaintiffs in
5 the related case *Ibarra, et al. v. Builder Services Group, Inc., et al.*, Case No. 10-cv-0199 CAB
6 (removed to S.D. Cal., Jan. 26, 2010) (the “*Ibarra Case*”), will and do hereby move for an award
7 of attorneys’ fees and litigation costs in the amount of \$400,000 pursuant to the terms of the
8 settlement agreement executed with Defendants. Plaintiffs base their motion on this Notice of
9 Motion and Motion, the supporting Memorandum of Points and Authorities, the Declaration of
10 John F. Hyland, the Declaration of Linda Gullede, the papers and pleadings on file in these
11 actions, and on such other matters as the parties may present to the Court at the hearing on their
12 motion.

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14 Dated: December 15, 2010

Respectfully submitted,

15 RUKIN HYLAND DORIA & TINDALL LLP

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17 By: /s/ John F. Hyland

John F. Hyland

Carole Vigne

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19 GULLEDGE LAW GROUP

Linda Gullede

20 Kelly Woody Gullede

21 Attorneys for Plaintiffs
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